



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Hot Rolled Structural Steel Sections exported from Japan, the Republic of Korea, Taiwan and the Kingdom of Thailand

The Anti-Dumping Review Panel received applications from Siam Yamato Steel Co. Ltd (SYS), Nippon Steel and Sumitomo Metal Corporation (NSSMC) and OneSteel Manufacturing Pty Ltd (OneSteel) for a review of a decision by the Parliamentary Secretary to publish a dumping duty notice in respect of Hot Rolled Structural Steel Sections exported from Japan, the Republic of Korea, Taiwan and the Kingdom of Thailand.

The grounds raised by the applications for the decision under review not being the correct or preferable decision include but are not limited to:

- Error in steel grade selection for normal value assessments where exporter (SYS) sells more than one comparable grade of like goods on the domestic market;
- Error in finding of lack of evidence that material terms of export sales are established by final order confirmation;
- Error in conversion of the export price from Australian dollar (AUD) to Thai baht (THB);
- Failure to make an adjustment to normal value for cutting costs incurred in the sale of the goods in lengths less than 12 metres;
- Failure to make an adjustment for differences in level of trade in accordance with ss269TAC(8) of the Customs Act and Article 2.4 of the WTO Anti-Dumping Agreement;
- Errors in the assessment of material injury;
- Misconstruction of the discretionary nature of s269TG of the Customs Act and error in the exercise of that discretion;
- Error in acceptance of the domestic grade of the goods in the exporter's home market as the appropriate model for normal value calculation;
- Failure to make relevant adjustments to account for price differences between differing grades of the goods sold domestically and exported;
- Error in selection of *ad valorem* as the most appropriate form of anti-dumping duties to remove the injurious effects of dumping.

The Parliamentary Secretary's decision was published in the Australian newspaper on 20 November 2014.

The goods to which these applications relate (the goods) are:

Hot rolled structural steel sections in the following shapes and sizes, whether or not containing alloys:

- *universal beams (I sections), of a height greater than 130mm and less than 650mm;*
- *universal columns and universal bearing piles (H sections), of a height greater than 130mm and less than 650mm;*

- *channels (U sections and C sections) of a height greater than 130mm and less than 400mm; and*
- *equal and unequal angles (L sections), with a combined leg length of greater than 200mm.*

Sections and/or shapes in the dimensions described above, that have minimal processing, such as cutting, drilling or painting do not exclude the goods from coverage of the application.

Goods excluded are:

- *hot rolled 'T' shaped sections, sheet pile sections and hot rolled merchant bar shaped sections, such as rounds, squares, flats, hexagons, sleepers and rails; and*
- *sections manufactured from welded plate (e.g. welded beams and welded columns).*

The goods are classified to the following tariff subheadings in Schedule 3 of the Customs Tariff Act 1995:

- 7216.31.00 statistical code 30 (channels – U and C sections);
- 7216.32.00 statistical code 31 (universal beams – I sections);
- 7216.33.00 statistical code 32 (universal column and universal bearing piles – H sections); and
- 7216.40.00 statistical code 33 (equal and unequal angles – L sections)
- 7228.70.00 statistical code 56 (other alloy steel).

The Anti-Dumping Review Panel proposes to conduct a review of the decision. Interested parties may make submissions to the Panel within **30 days** after the date of publication of this notice.

Submissions may be emailed to ADRP_Support@industry.gov.au, or sent by facsimile to (02) 6213 6821. Submissions may also be posted to the Anti-Dumping Review Panel, c/o Legal Services Branch, Department of Industry, 10 Binara Street, CANBERRA CITY ACT 2601 AUSTRALIA.

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the full grounds for seeking review, and other documents on the public file of the review, are available from www.adreviewpanel.gov.au. The reports of the original investigation are available on the Anti-Dumping Commission website at www.adcommission.gov.au

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Anti-Dumping Review Panel